

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PFIZER, INC.,

Plaintiff,

Case No. 1:08-cv-127

v.

Hon. Robert J. Jonker

PARNELL LABORATORIES (Aust) PTY.,
LTD.,

Defendant.

ORDER GRANTING MOTION TO COMPEL DISCOVERY IN PART

Pending before the court is Plaintiff's Motion to Compel Discovery (docket no. 45).

With the cooperation of both parties, the motion has been resolved at a hearing held this date and accordingly will be **GRANTED** as follows:

1. Parnell shall begin producing such documents as Pfizer sought in its Second Request for Production of Documents which are sufficient to allow Pfizer to identify costs Parnell incurred in constructing a certain manufacturing facility, and costs defendant incurred in seeking FDA approval for the 100mL Flexipak product. Parnell will begin providing these documents by March 12, 2009, and will complete production not later than March 20, 2009;

2. The parties have agreed that the three Australian witnesses identified below:

Alan Bell
Fernella Cochrane
Robert Joseph

will be deposed beginning the week of March 30, 2009. The witnesses will remain in Australia. The remaining details of the depositions will be worked out between the parties;

3. No costs.

In all other respects, the motion is **DENIED** without prejudice.

IT IS SO ORDERED.

Dated: February 26, 2009

/s/ Hugh W. Brenneman, Jr.
HUGH W. BRENNEMAN, JR.
United States Magistrate Judge